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 11 KINGDOM PIPELINES, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 CLARENCE JAMES "KIMO" SLOAN, JR.,

11 Plaintiff,

12 v.

13 CALTRAIN, a public corporation; MICHAEL
 14 SCANLON; AMTRAK, a public corporation;
 15 DAVID GUNN; AMELCO ELECTRIC; a private
 16 corporation; MARK ANGELICH; KINGDOM
 17 PIPELINE; a private corporation; BRENDAN
 18 MURPHY; CHRISTOPHER PAYNE; ROD
 19 MCLEAN; DEREK BROWN; LOUIS DeAVILEIR;
 20 CLAUDE ROBINS; WAYNE PARKS; RUSSELL
 21 HOLDEN; JAMES CHAMPDELANE; and DOES 1
 22 through 20, inclusive;

23 Defendants;

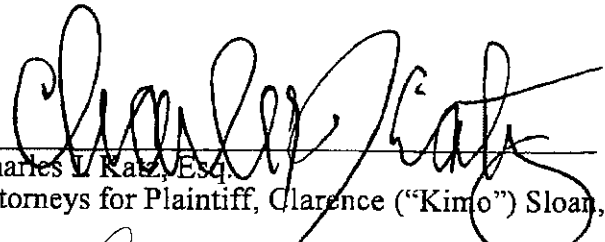
) Case No. C 05 -03168 WHA

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER DISMISSING COMPLAINT**
) **AGAINST DEFENDANT KINGDOM**
) **PIPELINES, INC. [sued erroneously as**
) **Kingdom Pipeline]**

21 Plaintiff CLARENCE JAMES "KIMO" SLOAN, JR. ("Plaintiff"), filed the original
 22 Complaint in this Action in San Mateo County Superior Court on June 17, 2005, *Sloan v.*
 23 *Caltrain, a public corporation, et al.*, San Mateo County Superior Court Case No. CIV447601;
 24 The Action was then removed to the U.S. District Court for the Northern District of California on
 25 August 4, 2005. Thereafter, Defendant Kingdom Pipelines, Inc. ("Kingdom" or "Defendant"),
 26 erroneously named as "Kingdom Pipeline" in the original Complaint, was served.

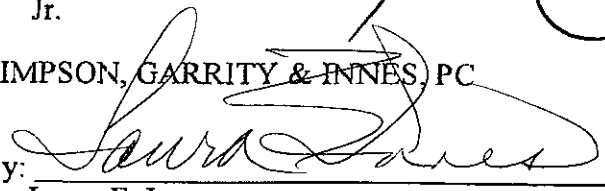
1 Plaintiff and Kingdom have now settled all claims between them arising out of this Action
2 and request, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2), that this Court enter an
3 order dismissing Plaintiff's Complaint against Kingdom in its entirety, with prejudice, with each
4 party to bear its own costs and attorneys' fees.

5 DATED: July 25, 2006
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7 By: 
8 Charles V. Katz, Esq.
Attorneys for Plaintiff, Clarence ("Kimo") Sloan,
Jr.

9 DATED: July 25, 2006
10

11 SIMPSON, GARRITY & INNES, PC

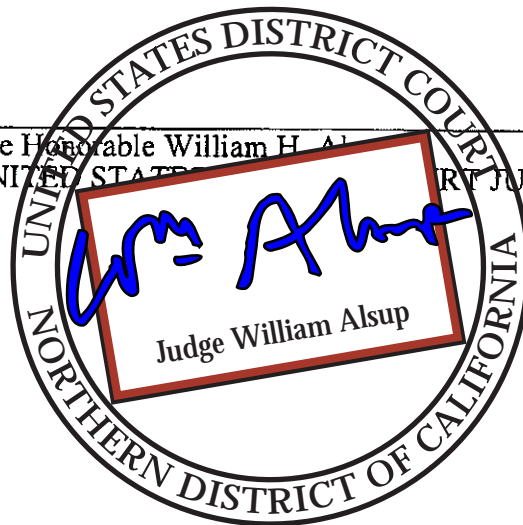
12 By: 
13 Laura E. Innes
14 Sarah E. Lucas
15 Attorneys for Defendant
16 KINGDOM PIPELINES, INC. (erroneously sued
17 herein as Kingdom Pipeline)
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/2/_____, 2006

The Honorable William H. Alsup
UNITED STATES DISTRICT COURT JUDGE



PROOF OF SERVICE BY U.S. MAIL

I, the undersigned, hereby declare that I am over the age of eighteen years and not a party to the within action. My business address is 601 Gateway Boulevard, Suite 950, South San Francisco, California 94080.

On the date indicated below, I served by mail a true copy of the following documents:

**STIPULATION AND [PROPOSED] ORDER DISMISSING COMPLAINT AGAINST
DEFENDANT KINGDOM PIPELINES, INC. [sued erroneously as Kingdom Pipeline]**

I am readily familiar with the practice of this business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed are placed for collection and deposit with the United States Postal Service that same day in the ordinary course of business. The above-referenced document(s) were placed in (a) sealed envelope(s) with postage thereon fully prepaid, addressed to each of the below listed parties and such envelope(s) was (were) placed for collection and deposit with the United States Postal Service on the date listed below at South San Francisco, California.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 28, 2006, at South San Francisco, California.


Teresa Huerta Larkin